

REMARKS

Claims 5-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Talieh combined with Ashjaee et al. and Kunisawa et al.

In reply to this rejection it is hereby stated that U. S. Patent No. 6,632,335 to Kunisawa et al. and the instant invention were, at the time the instant invention was made, subject to an obligation of assignment to **Ebara Corporation** and **Kabushiki Kaisha Toshiba**. Accordingly, U.S. Patent No. 6,632,335 to Kunisawa et al. is not available as prior art insofar as the 35 U.S.C. § 103(a) rejection of record is concerned, whereby this rejection cannot be maintained.


Thus, claims 5-12 are allowable.

In view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing this Response, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicants' undersigned representative by telephone to resolve such issues.

Respectfully submitted,

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